

FILED
AUG 12 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

KENNETH LOFTON Plaintiff }
vs. }
The City of EAST Palo Alto Defendant }

CV 08 CASE NO. SC64642A

(PR)

PRISONER'S
APPLICATION TO PROCEED
IN FORMA PAUPERIS

E-filing

I, KENNETH LOFTON, declare, under penalty of perjury that I am the plaintiff in the above entitled case and that the information I offer throughout this application is true and correct. I offer this application in support of my request to proceed without being required to prepay the full amount of fees, costs or give security. I state that because of my poverty I am unable to pay the costs of this action or give security, and that I believe that I am entitled to relief.

In support of this application, I provide the following information:

1. Are you presently employed? Yes No

If your answer is "yes," state both your gross and net salary or wages per month, and give the name and address of your employer:

Gross: _____ Net: _____

Employer: _____

If the answer is "no," state the date of last employment and the amount of the gross and net salary

1 and wages per month which you received. (If you are imprisoned, specify the last place of
2 employment prior to imprisonment.)

3 UNEMPLOYED

6 2. Have you received, within the past twelve (12) months, any money from any of the following
7 sources:

8 a. Business, Profession or Yes ___ No

9 self employment

10 b. Income from stocks, bonds, Yes ___ No

11 or royalties?

12 c. Rent payments? Yes ___ No

13 d. Pensions, annuities, or Yes ___ No

14 life insurance payments?

15 e. Federal or State welfare payments, Yes ___ No

16 Social Security or other govern-

17 ment source?

18 If the answer is "yes" to any of the above, describe each source of money and state the amount
19 received from each.

22 3. Are you married? Yes No

23 Spouse's Full Name: _____

24 Spouse's Place of Employment: _____

25 Spouse's Monthly Salary, Wages or Income:

26 Gross \$ _____ Net \$ _____

27 4. a. List amount you contribute to your spouse's support: \$ _____
28 b. List the persons other than your spouse who are dependent upon you for support

1 and indicate how much you contribute toward their support. (NOTE: For minor
 2 children, list only their initials and ages. DO NOT INCLUDE THEIR NAMES.).
 3 _____
 4 _____

5 5. Do you own or are you buying a home? Yes ___ No

6 Estimated Market Value: \$ _____ Amount of Mortgage: \$ _____

7 6. Do you own an automobile? Yes ___ No

8 Make _____ Year _____ Model _____

9 Is it financed? Yes ___ No ___ If so, Total due: \$ _____

10 Monthly Payment: \$ _____

11 7. Do you have a bank account? Yes ___ No (Do not include account numbers.)

12 Name(s) and address(es) of bank: _____
 13 _____

14 Present balance(s): \$ _____

15 Do you own any cash? Yes ___ No Amount: \$ _____

16 Do you have any other assets? (If "yes," provide a description of each asset and its estimated
 17 market value.) Yes ___ No
 18 _____

19 8. What are your monthly expenses?

20 Rent: \$ NONE Utilities: NONE

21 Food: \$ NONE Clothing: NONE

22 Charge Accounts:

Name of Account	Monthly Payment	Total Owed on This Acct.
<u>N/A</u>	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

27 9. Do you have any other debts? (List current obligations, indicating amounts and to whom
 28 they are payable. Do not include account numbers.)

1 None
2

3 10. Does the complaint which you are seeking to file raise claims that have been presented in
4 other lawsuits? Yes No X

5 Please list the case name(s) and number(s) of the prior lawsuit(s), and the name of the court in which
6 they were filed.

7 _____
8
9 I consent to prison officials withdrawing from my trust account and paying to the court the
10 initial partial filing fee and all installment payments required by the court.

11 I declare under the penalty of perjury that the foregoing is true and correct and understand
12 that a false statement herein may result in the dismissal of my claims.

13 7/3/08
14

15 DATE

* Kenneth Jettion
16 SIGNATURE OF APPLICANT

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2 Case Number: *SC67042A
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8 CERTIFICATE OF FUNDS
9 IN
10 PRISONER'S ACCOUNT

11
12 I certify that attached hereto is a true and correct copy of the prisoner's trust account
13 statement showing transactions of KENNETH LOFTON for the last six months at
14 [prisoner name]
15 MAGUIRE Correctional Facility where (s)he is confined.

16 [name of institution]

17 I further certify that the average deposits each month to this prisoner's account for the most
18 recent 6-month period were \$ 15.00 and the average balance in the prisoner's account
19 each month for the most recent 6-month period was \$ 20.00.

20 Dated: 7/3/08

* P. Landel #783 Deputy

21 [Authorized officer of the institution]
22
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See P-1

MAGUIRE CORRECTIONAL FACILITY
INMATE CASH HISTORY

11:01:03 03 Jun 2008

ID NUMBER: 86970

INMATE: LOFTON, KENNETH

DATE	TIME	RECEIPT	DEPOSIT OR <WITHDRAW>	BALANCE	AUTHORIZATION
25 Aug 07	00:43	1637546	0.00	0.00	SH/NEW
07 Sep 07	02:51	1499999	15.00	15.00	MO # R1006597249 02
12 Sep 07	06:21	2261285	<13.10>	1.90	COMMISSARY
21 Sep 07	07:55	1401602	20.00	21.90	VIC
23 Sep 07	06:12	1401783	15.00	36.90	MO 10065972644
26 Sep 07	05:57	2262231	<22.80>	14.10	COMMISSARY
27 Sep 07	13:49	2175027	<5.40>	8.70	COMMISSARY
03 Oct 07	05:52	2175367	<7.70>	1.00	COMMISSARY
14 Oct 07	08:41	1404041	20.00	21.00	CH/MO# R10085703 1210
17 Oct 07	06:10	2263938	<11.00>	10.00	COMMISSARY
21 Oct 07	20:38	1404900	10.00	20.00	CO: ERIC N.
24 Oct 07	06:20	2176686	<20.00>	0.00	COMMISSARY
11 Nov 07	12:11	1407079	10.00	10.00	DN/FRANCIS
14 Nov 07	07:21	2178422	<10.00>	0.00	COMMISSARY
18 Nov 07	13:53	1407808	20.00	20.00	VICTOR
20 Nov 07	15:58	2178877	<19.80>	0.20	COMMISSARY
01 Dec 07	20:52	1409121	10.00	10.20	FRANCES
05 Dec 07	06:07	2018092	<9.30>	0.90	COMMISSARY
06 Dec 07	07:50	1409612	15.00	15.90	JOHNATHAN
07 Dec 07	06:04	2179999	<8.70>	7.20	COMMISSARY
12 Dec 07	06:43	2267692	<7.10>	0.10	COMMISSARY
12 Dec 07	15:26	1410292	16.00	16.10	DN/ROBERTO HERRE RA
14 Dec 07	06:11	2267932	<16.00>	0.10	COMMISSARY
16 Dec 07	16:41	1410726	20.00	20.10	M.O. R1010440322 54
19 Dec 07	06:51	2268373	<17.00>	3.10	COMMISSARY
21 Dec 07	07:19	1411210	15.00	18.10	DN/MO#R101044032 683 NORA LOFTON
21 Dec 07	09:41	2268573	<2.90>	15.20	COMMISSARY
26 Dec 07	06:16	2268650	<12.50>	2.70	COMMISSARY
28 Dec 07	06:19	2181552	<2.50>	0.20	COMMISSARY
30 Dec 07	20:03	1412255	10.00	10.20	CO: CHRIS
02 Jan 08	06:31	2181835	<9.80>	0.40	COMMISSARY
08 Jan 08	11:07	1413010	20.00	20.40	VICK
10 Jan 08	11:13	2182414	<17.30>	3.10	COMMISSARY
16 Jan 08	07:00	1413786	15.00	18.10	MO# R10104403464 1 NORA LOFTON / TL
17 Jan 08	15:14	1413921	20.00	38.10	CH/FROM GARRON
18 Jan 08	06:22	2270727	<4.10>	34.00	COMMISSARY
23 Jan 08	06:27	2183144	<24.80>	9.20	COMMISSARY
24 Jan 08	10:19	2183418	<5.60>	3.60	COMMISSARY
29 Jan 08	07:09	1415022	15.00	18.60	DN/MO#R101044035 356 NORA LOFTON
30 Jan 08	06:29	2018413	<18.10>	0.50	COMMISSARY

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731

08 Feb 08	13:53	1416090	20.00	20.50 ARTIE /TL
10 Feb 08	20:09	1416384	30.00	50.50 CO: CARRELL
13 Feb 08	06:43	2272124	<29.10>	21.40 COMMISSARY
15 Feb 08	06:36	2185262	<21.10>	0.30 COMMISSARY
15 Feb 08	21:05	1416870	20.00	20.30 CO: LARONE
20 Feb 08	07:03	2272634	<19.90>	0.40 COMMISSARY
23 Feb 08	06:33	1417643	20.00	20.40 MO 10104403697
27 Feb 08	06:38	2186073	<20.10>	0.30 COMMISSARY
05 Mar 08	07:04	1418806	20.00	20.30 DN/MO#9341573194 1080222710390 M
				ARY
07 Mar 08	06:52	2274174	<20.10>	0.20 COMMISSARY
07 Mar 08	13:31	1419050	20.00	20.20 VIC
11 Mar 08	13:36	1419450	20.00	40.20 DN/GARY
12 Mar 08	05:56	2274509	<38.20>	2.00 COMMISSARY
14 Mar 08	05:43	2187343	<2.00>	0.00 COMMISSARY
17 Mar 08	10:21	1420115	20.00	20.00 SS/NEPHEW
17 Mar 08	10:42	1420119	40.00	60.00 SS/MARKETA
19 Mar 08	05:48	2019208	<52.60>	7.40 COMMISSARY
21 Mar 08	05:47	2019279	<7.40>	0.00 COMMISSARY
25 Mar 08	12:26	1420983	20.00	20.00 EG/FROM MARKETA
27 Mar 08	14:20	1421219	20.00	40.00 RS/PAT
28 Mar 08	05:55	2188460	<39.80>	0.20 COMMISSARY
01 Apr 08	13:09	1421786	20.00	20.20 SS/LAMONT
01 Apr 08	14:27	1421801	20.00	40.20 YOP IMP
02 Apr 08	05:51	2019427	<38.70>	1.50 COMMISSARY
03 Apr 08	13:22	1422021	20.00	21.50 DN/MARKETA
04 Apr 08	06:15	2276386	<21.50>	0.00 COMMISSARY
11 Apr 08	06:51	1422903	20.00	20.00 DN/MO#R200730350 689 NORA LOFTON
16 Apr 08	05:48	2019699	<19.90>	0.10 COMMISSARY
17 May 08	06:44	1426853	20.00	20.10 RS/MO 9341573523 6
21 May 08	06:10	2193324	<20.00>	0.10 COMMISSARY
31 May 08	10:52	1428299	20.00	20.10 DESANTIS/VCC